

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

United States

v.

Case No. 05-cr-171-01-SM

Kimberly Baez

ORDER

Re: Document No. 37, Motion to Reduce Sentence and to
Appoint CJA Counsel

Ruling: Denied; Petitioner is not eligible for sentence relief based upon the cocaine base ("crack") sentencing guideline that was later retroactively amended, because her guideline sentencing range (GSR) was based upon the career offender provisions. The retroactive crack cocaine guideline amendment would have no effect on her GSR calculation. Petitioner filed a motion for identical relief previously, which motion was denied on the same grounds.


Steven J. McAuliffe
Chief Judge

Date: June 22, 2010

cc: Kimberly Baez
Helen Fitzgibbon, AUSA
Aixa Maldonado, AUSA
Patrick Richard, Esq.